

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

STATE OF ALABAMA and
MORRIS J. BROOKS, JR., Representative for
Alabama's 5th Congressional District,

Plaintiffs,

v.

Case No. 2:18-cv-00772-RDP

UNITED STATES DEPARTMENT OF
COMMERCE; WILBUR L. ROSS,
in his official capacity as Secretary of Commerce;
BUREAU OF THE CENSUS; and
STEVEN DILLINGHAM, in his official capacity
as Director of the U.S. Census Bureau,

Defendants,

and

DIANA MARTINEZ; RAISA SEQUEIRA;
SAULO CORONA; IRVING MEDINA;
JOEY CARDENAS; FLORINDA P. CHAVEZ;
and CHICANOS POR LA CAUSA;

COUNTY OF SANTA CLARA, CALIFORNIA;
KING COUNTY, WASHINGTON; and
CITY OF SAN JOSE, CALIFORNIA,

Intervenor-Defendants.

UNOPPOSED MOTION TO CONTINUE STATUS CONFERENCE

Defendants United States Department of Commerce, Wilbur L. Ross, Bureau of the Census, and Steven Dillingham ("Defendants"), through their undersigned counsel, hereby move to continue the status conference currently set for Friday, August 23, 2019, to Friday, September 6, 2019. The motion is unopposed. In support thereof, Defendants state as follows:

1. On July 23, 2019, this Court entered an order setting a status conference for Friday, August 23, 2019, at 10:30 a.m. The Court also ordered the parties to submit a status report stating their respective positions regarding how this case should proceed by August 19, 2019. *See* Order, ECF No. 93.

2. Undersigned counsel for Defendants will be unable to appear at the status conference due to pre-existing vacation plans. Undersigned counsel will be on vacation from August 17 through August 27, 2019.

3. Accordingly, Defendants request that this Court re-schedule the August 23 status conference for Friday, September 6, 2019. If the Court is unable to accommodate that date, Defendants alternatively request that the status conference be continued to Wednesday, September 4, Thursday, September 5, or Friday, August 30.

4. Before filing this motion, undersigned counsel for Defendants conferred with counsel for Plaintiff State of Alabama, as well as counsel for the intervenor-defendants. None of the other parties to this litigation oppose the rescheduling of the status conference. Moreover, all of the parties to this litigation are available for a status conference on September 6, or on the alternate proposed dates of September 4, September 5, or August 30.¹

5. Granting the motion will not prejudice any parties or affect any other deadlines in this case.

Accordingly, Defendants request that the August 23 status conference be continued to September 6. To the extent the Court grants the motion, Defendants also request that a

¹ Counsel for the State of Alabama conferred with Plaintiff Brooks. Plaintiff Brooks is available to attend a status conference scheduled for September 6, or the alternate proposed dates of September 4, September 5, or August 30. He anticipates being unavailable, however, after September 6.

corresponding adjustment be made to the deadline to submit a status report.² A proposed order is attached hereto.

Dated: August 2, 2019

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

JOHN R. GRIFFITHS
Director, Federal Programs Branch

CARLOTTA P. WELLS
Assistant Branch Director

/s/ Brad P. Rosenberg
BRAD P. ROSENBERG (DC Bar #467513)
Assistant Branch Director
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, N.W.
Washington, DC 20005
Tel.: (202) 514-3374
Fax: (202) 616-8460
Email: brad.rosenberg@usdoj.gov

Counsel for Defendants

² Because undersigned counsel will not be returning to the office until Wednesday, August 28, Defendants request that, if the Court reschedules the status conference for Friday, September 6, the status report be due on Tuesday, September 3.

CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

For Plaintiff State of Alabama:

Edmund G. LaCour	elacour@ago.state.al.us
Steven Troy Marshall	smarshall@ago.state.al.us
James W. Davis	jimdavis@ago.state.al.us
Winfield J. Sinclair	wsinclair@ago.state.al.us
Brad A. Chynoweth	bchynoweth@ago.state.al.us

For Intervenor-Defendants:

Denise Marie Hulett	dhulett@maldef.org
James U. Blacksher	jblacksher@ns.sympatico.ca
Andrea E. Senteno	asenteno@maldef.org
W. Edward Still	Still@votelaw.com
Ming Ming Yang	mmyang@debevoise.com
Robin Thurston	rthurston@democracyforward.org
Anil A. Mujumdar	anil@zarzaur.com
Jyotin Hamid	jhamid@debevoise.com
Lauren M. Dolecki	lmdolecki@debevoise.com
Ryan M. Kusmin	rmkusmin@debevoise.com
Robert D. Segall	segall@copelandfranco.com
Danielle Luce Goldstein	danielle.goldstein@cco.sccgov.org
Jonathan Weissglass	jonathan@weissglass.com
Marcelo Quinones	marcelo.quinones@cco.sccgov.org
Dorian Lawrence Spence	dspence@lawyerscommittee.org
Ezra Rosenberg	erosenberg@lawyerscommittee.org
Julia A. Gomez	jgomez@maldef.org
Thomas A. Saenz	tsaenz@maldef.org

I also hereby certify that I have caused to be mailed by First Class Mail the document to the following non-CM/ECF participant:

Morris J. Brooks, Jr.
2101 W. Clinton Ave.
Suite 302
Huntsville, AL 35805

/s/ Brad P. Rosenberg

BRAD P. ROSENBERG (DC Bar #467513)

Assistant Branch Director

United States Department of Justice

Civil Division, Federal Programs Branch

1100 L Street, N.W.

Washington, DC 20005

Tel.: (202) 514-3374

Fax: (202) 616-8460

Email: brad.rosenberg@usdoj.gov

Counsel for Defendants